

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-2(c)**

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**Cabanillas & Associates, PC**  
**Jenee K. Ciccarelli, Esq.**  
**120 Bloomingdale Rd., Suite 400**  
**White Plains, NY 10605**  
**914-385-0292**

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In Re:

Case No.: 17-27173

Yersson Disla,

Debtor(s).

Chapter: 13  
Judge: Meisel

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**APPLICATION FOR EXTENSION OF TIME**  
**TO FILE MISSING SCHEDULES**

The Debtor, Yersson Disla, by and through his attorneys, Cabanillas & Associates, PC has filed papers for the Court to enter an order extending the time in which to file missing schedules for the Debtor's Chapter 7 Petition.

If you do not want the Court to grant the stated relief or if you want the court to consider your views on the motion, then on or before September 20, 2017, you or your attorney must file with the court a written request for a hearing explaining your position. The papers may be filed at:

US Bankruptcy Court, District of New Jersey, 50 Walnut Street, Newark, New Jersey 07102

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Cabanillas & Associates, PC  
Attn.: Jenee K. Ciccarelli, Esq.  
120 Bloomingdale Rd, Suite 400  
White Plains, NY 10605

Jay L. Lubetkin  
293 Eisenhower Pkwy Suite 100  
Livingston, NJ 07039

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: Union City, New Jersey  
September 10, 2017

**CABANILLAS & ASSOCIATES, PC**

/s/ Jenee K. Ciccarelli, Esq.  
Jenee K. Ciccarelli  
4100 Kennedy Blvd  
Union City, New Jersey 07087

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**AFFIRMATION AND ARGUMENT IN SUPPORT OF APPLICATION**  
**TO EXTEND TIME TO FILE MISSING SCHEDULES**

Jenee K. Ciccarelli, Esq. an attorney duly admitted before this Court, offers the following, upon information and belief, under penalty of perjury:

1. I am an attorney with the law firm of Cabanillas & Associates, P.C., attorneys for Yersson Disla (the "Debtor" or "Mr. Lopez"). I make this Affirmation in Support of Debtor's Motion seeking to extend time to file missing schedules.
2. The factual statements contained herein are true and correct to the best of my knowledge. As to those statements which are alleged upon information and belief, I believe them to be true.

3. A Voluntary Chapter 7 Petition was filed on behalf of the Debtor on August 24, 2017.
4. This filing is the Debtor's first bankruptcy.
5. A 341 Creditor's Meeting is scheduled for September 22, 2017. Jay Lubekin has been appointed the Chapter 7 Trustee in this matter and is noticed on this motion pursuant to F.R.B.P. 1007(a)(5).
6. The Debtor desires to obtain a loan modification on his primary residence. However, the Debtor had some personal issues to overcome and was not able to submit a loan modification application prior to the sheriff's auction. Therefore, the Debtor filed a voluntary Chapter 7 Petition.
7. The Debtor is in the process of compiling and organizing the information required for the schedules, but needs additional time to obtain all the information and provide the information to our office so we can prepare the schedules.
8. The Debtor does wish to continue his Chapter 7 Bankruptcy case, but given the emergency nature of the filing, the Debtor requires additional time.

### **ARGUMENT**

9. Pursuant to Federal Rule of Bankruptcy Procedure ("FRBP") Rule 1007(a)(1), a Debtor must file a voluntary petition and accompanying schedules. However, Rule 1007(a)(5) permits the extension of time to file schedules by motion on notice to the trustee.
10. In addition, 11 U.S.C. §105 gives this Court broad powers to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of the [code]."
11. Here, the trustee was noticed as the rule requires and the Debtor has good cause for an extension of time.

**CONCLUSION**

For all the foregoing reasons, the Debtor respectfully requests that the Motion be granted, that this Court enter the proposed Order allowing the Debtor an additional 30 days to file his schedules.

Dated: Union City, New Jersey  
September 10, 2017

CABANILLAS AND ASSOCIATES, PC  
Attorney for Debtor Yersson Disla

/s/ Jene K. Ciccarelli, Esq.  
Jene K. Ciccarelli, Esq.  
4100 Kennedy Blvd.,  
Union City, NJ 07087